

Sec. 286-299 Reserved.**Sec. 300. Possession of marijuana.**

(A) It shall be unlawful for any person to knowingly and intentionally possess marijuana, tetrahydrocannabinol or chemical derivatives thereof.

B) "Marijuana" means all parts of plants of the genus *Cannabis*, whether, growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

(C) Whoever is found guilty of possession of marijuana shall be fined not more than five hundred dollars (\$500.00), imprisoned for not more than six (6) months, or both.

(Source: State law)

Sec. 301. Definitions

A. As used in this Part, unless the context clearly otherwise indicates, the term "drug paraphernalia" shall mean and include, but not be limited to:

(1) All equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Uniform Controlled Dangerous Substances Law, as scheduled in LA. R.S. 40:964.

(2) Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.

(3) Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.

(4) Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance.

(5) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness, or purity of controlled substances.

(6) Diluents and adulterants, such as quinine, hydrochloride, mannitol, mannite, dextrose, and lactose, used, intended for use, or designed for use in cutting controlled substances.

(7) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.

(5) Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness, or purity of controlled substances.

308 A

(6) Diluents and adulterants, such as quinine, hydrochloride, mannitol, mannite, dextrose, and lactose, used, intended for use, or designed for use in cutting controlled substances.

(7) Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.

(8) Blenders, bowls, containers, spoons, and mixing devices used, intended for use, or designed for use in compounding controlled substances.

(9) Capsules, balloons, envelopes, and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances.

(10) Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances.

(11) Hypodermic syringes, needles, and other objects used, intended for use, or designed for use in parenterally injecting controlled substances into the human body.

(12) Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:

(a) Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls.

(b) Water pipes.

(c) Carburetion tubes and devices.

(d) Smoking and carburetion masks.

(e) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand.

(f) Miniature cocaine spoons, and cocaine vials.

(g) Chamber pipes.

(h) Carburetor pipes.

(i) Electric pipes.

(j) Air-driven pipes.

(k) Chillums.

(l) Bongs.

(m) Ice pipes or chillers.

(Source: R.S. 40:1031)

Sec. 302. Determination of drug paraphernalia

In determining whether an object is drug paraphernalia, a court or other authority shall consider, in addition to all other legally relevant factors, the following:

(1) Statements by an owner or by anyone in control of the object concerning its use.

(2) The proximity of the object, in time and space, to a direct violation of the Uniform Controlled Dangerous Substances Law.

(3) The proximity of the object to controlled substances.

(4) The existence of any residue of controlled substances on the object.

(5) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows or should reasonably know intend to use the object to facilitate a violation of the Uniform Controlled Dangerous substances Law; the

(3) The proximity of the object to controlled substances.

308 A

(4) The existence of any residue of controlled substances on the object.

(5) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows or should reasonably know intend to use the object to facilitate a violation of the Uniform Controlled Dangerous substances Law; the innocence of an owner, or of anyone in control of the object, as to a direct violation of the Uniform Controlled Dangerous Substances Law shall not prevent a finding that the object is intended for use or designed for use as drug paraphernalia.

(6) Instructions, oral or written, provided with the object concerning its use.

(7) Descriptive materials accompanying the object which explain or depict its use.

(8) National and local advertising concerning its use.

(9) The manner in which the object is displayed for sale.

(10) Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise.

(11) The existence and scope of legitimate use for the object in the community.

(12) Expert testimony concerning its use.

(Source: R.S. 14:1032)

Sec. 303. Prohibited acts

A. It is unlawful for any person or corporation, knowing, or under circumstances where one reasonably should know, to sell, lend, rent, lease, give, exchange, or otherwise distribute to any person any drug paraphernalia.

B. It is unlawful for any person or corporation, knowing, or under circumstances where one reasonably should know, to display for sale or possess with the intent to distribute, any drug paraphernalia.

C. It is unlawful for any person to use, or to possess with intent to use, any drug paraphernalia, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Part.

D. This Section shall only apply to a first violation of or failure to comply with any provision of this Section.

(Source: R.S. 14:1033)

Sec. 304-323. Reserved

Sec. 324. Abandoning or discarding ice boxes or other air tight containers

It shall be unlawful for any person, firm, or corporation to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended or discarded ice box, refrigerator, or any other container of any kind which has an airtight door or doors, or which may not be released for opening from the inside of said icebox, refrigerator, or container. It shall further be unlawful for any person, firm, or corporation, to leave outside of any building or dwelling in a place accessible to children any abandoned, unattended or discarded icebox, refrigerator, or any other container of any kind which is airtight and has a snap lock or other device thereon without first removing said snap lock or locks, or door or doors, from said icebox, refrigerators, or containers.

(Source: R.S. 14:324)

Sec. 325-329 Reserved

refrigerator, or any other container of any device thereon without first removing said snap lock or locks, or door or doors, from said icebox, refrigerators, or containers.

308 A

(Source: R.S. 14:324)

Sec. 325-329 Reserved

Sec. 329.1 Riot

A. A riot is a public disturbance involving an assemblage of three or more persons acting together or in concert which by tumultuous and violent conduct, or the imminent threat of tumultuous and violent conduct, results in injury to persons, which injury is less than serious bodily injury or death, or damage to property, when the damage is five thousand dollars or less, or creates a clear and present danger of such injury to persons or such damage to property.

B. It shall be unlawful to incite to riot. Inciting to riot is the endeavor by any person to incite or procure any other person to create or participate in a riot.

C. It shall be unlawful to willfully fail to comply with a lawful command to disperse by any law enforcement or peace officer or public official responsible for keeping the peace under authority of this section or law, if the officer or official reasonably believes that a riot is occurring or about to occur and the command to disperse is given in a manner reasonably calculated to be communicated to the assemblage.

D. Nothing contained in this Section shall apply to a bona fide legitimate labor organization or to any of its legal activities such as lawful picketing, lawful assembly, or concerted activity in the interest of its members for the purpose of accomplishing or securing more favorable wage standards, hours of employment or working conditions.

(Source: R.S. 14:329.1 et seq.)

Sec. 329.5 Interference with educational process

A. It shall be unlawful for any person, on the campus or lands of any university, college, junior college, trade or vocational-technical school, special school, elementary or secondary school in this municipality, hereinafter referred to as "institutions of learning," or at or in any building or other facility thereof owned, operated or controlled by the state or any of its agencies or political subdivisions, to willfully deny to students, school officials, faculty, employees, invitees and guests thereof either:

- (1) Lawful freedom of movement on the campus or lands.
- (2) Lawful use of the property, facilities or parts of any institution of learning.
- (3) The right of lawful ingress and egress to and from the institution's physical facilities.

B. It shall be unlawful for any person, on the campus of any institution of learning or at or in any building or other facility thereof owned, operated or controlled by the state or any agency or political subdivision thereof, to willfully impede the staff or faculty of such institution in the lawful performance of their duties, or willfully impede a student of such institution in lawful pursuit of his educational activities, through use of restraint, abduction, coercion, or intimidation, or when force and violence are present or threatened.

C. It shall be unlawful for any person to willfully refuse or fail to leave the property of, or any building or other facility owned, operated or controlled by the state or any agency or political subdivision thereof, upon being requested to do so by the chief administrative officer thereof, or by his designee charged with maintaining order on the campus or grounds and in its facilities, or a dean of such institution of learning, if such person is committing, threatens to commit, or incites others to commit, any act which would or is likely to disrupt, impair, interfere with or obstruct the lawful missions, processes, procedures or functions of such institutions of learning.

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308A

D. Nothing contained in this Section shall apply to a bona fide legitimate labor organization or to any of its legal activities such as lawful picketing, lawful assembly or concerted activity in the interest of its members for the purpose of accomplishing or securing more favorable wage standards, hours of employment or working conditions.

(Source: R.S. 14:329.5, 329.7)

Sec. 330-403.4. Reserved

Sec. 403.5 Gunshot wounds; mandatory reporting

A. In every case of a gunshot wound or injury presented for treatment to a medical professional, practitioner, or associated personnel, that professional, practitioner, or

associated personnel shall make an oral notification to the chief of police immediately after complying with all applicable state and federal laws, rules, and regulations related to the treatment of emergencies and before the wounded person is released. A written notation of this action shall be made on the emergency record.

B. Any person who fails to file a report, or who knowingly files a false report, under this Section shall be fined not more than five hundred dollars.

C. This Section shall not apply to any wounds or injuries received from the firing of an air gun.

(Source: R.S. 14:403.5)

Sec. 404-499 Reserved

Sec. 500. Shooting fireworks

A. The term "pyrotechnics", whenever used in this section, shall be held to mean any sparkler, squib, rocket, firecracker, roman candle, signal lights, fireworks, or other devices or composition used to obtain visible and audible pyrotechnic display.

B. It shall be unlawful for any person to use "pyrotechnics" in the city limits.

C. Nothing in this section shall be held to apply:

(1) To the possession or use of signaling devices for current daily consumption by railroads, trucks or vessels requiring them;

(2) To pyrotechnic display of fireworks in public parks or other open places, where a permit for such display has been issued by the Chief of Police, but before such permits are issued by the Chief of Police, he shall have determined that provisions have been made for proper safeguarding of life and property, and he shall further provide proper police protection in connection with any authorized display.

Section 2. The catchline of sections and parenthetical reference to state law as the source of the provisions in this Code are intended to indicate the contents of the section and shall not be deemed or taken to be title of the section nor as any part of the section; nor, unless expressly so provided, shall they be so deemed when any of the sections, including the catchline and parenthetical references, are amended or repealed.

Section 3. The sections, paragraphs, sentences, clauses, and phrases of this Code shall be severable; and if any section, paragraph, sentence, clause, or phrase of this Code is declared unconstitutional, illegal, or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, the unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Code.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The repeal of any provision of any ordinance by the enactment of this Code

severable; and if any section, paragraph, sentence, clause, or phrase of this Code is declared unconstitutional, illegal, or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, the unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Code.

308A

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. The repeal of any provision of any ordinance by the enactment of this Code shall not affect any offense committed or act done prior to the effective date of such repeal, or any penalty or forfeiture incurred for an offense committed under the provision repealed or any prosecution or suit pending at the time of such repeal for an offense committed under the provisions repealed.

Section 6. This Code is being adopted pursuant to the provisions of R.S. 33:1361-1369, as amended, provided that it is the desire and intent to adopt and enact this Code under any other existing authority.

Section 7. The title of this Ordinance shall be published once a week for three consecutive weeks in the official journal of the municipality after the Ordinance is adopted.

Section 8. This Ordinance shall become effective ten days after the publication of the title for the third time in the official journal of the municipality.

This Ordinance was introduced on MAY 18, 2009 by Council member MARY Billberry. Notice of Public Hearing having been published on MAY 20, 2009 and said Public Hearing having been held, the title having been read and the Ordinance considered, on motion to adopt by Council member MARY Billberry, seconded by Council member VALLIE CARRICO, a record vote was taken and the following result was had:

YEA: MARY Billberry
VALLIE CARRICO
HATTIE GRAHAM
DAVIE POWELL
R.C. SPARKS

NAY: NONE

ABSENT: NONE

WHEREUPON, the presiding officer declared the above Ordinance duly adopted on the 15 day of June, 2009.

ATTEST:
Justina Hensley
TOWN CLERK

Margaret Bozen
MAYOR